UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Trustees of the Teamsters Local 456 Pension, Health & Welfare, Annuity, Education & Training, S.U.B., Industry Advancement and Legal Services Funds and the Westchester Teamsters Local Union No. 456,

Index No. 08 CIV 5045 (KMK)

Plaintiffs,

VOLUNTARY NOTICE OF DISMISSAL

-and-

GORDO TRUCKING CORP.,

Defendant.

PLEASE TAKE NOTICE that pursuant to Federal Rules of Civil Procedure 41(a)(1)(i) plaintiffs, by the undersigned attorney of record, hereby voluntarily dismiss the above entitled action without prejudice.

Dated: August 25, 2008 Elmsford, New York

> BARNES, IACCARINO, VIRGINIA, AMBINDER & SHEPHERD, PLLC

Giacchino J. Russo, Esq. (GR8313) Attorney for Plaintiffs 258 Saw Mill River Road Elmsford, New York 10523 (914) 592-1515